

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE
BY: ZONING COMMITTEE



06-0-0049
U-05-34

AN ORDINANCE TO AMEND ORDINANCE 04-O-2082
FOR THE PURPOSES OF A SITE PLAN
AMENDMENT, WHICH GRANTED A SPECIAL USE
PERMIT FOR EXPANSION OF AN EXISTING
ASSISTED LIVING FACILITY (SECTIONS 16.08.005
(1) (F), AND 16.11.005 (1)(E)),

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as
follows:

SECTION 1. Under the provisions of (Sections 16.08.005 (1) (f), and 16.11.005 (1)(e)),
of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Personal Care
Home, is hereby amended for the purposes of a Site Plan Amendment. The site plan for
the said use, which granted a Special Use Permit for expansion of an existing Assisted
Living Facility is amended, and is granted to JULIUS M. WILLIS and is to be located at
3711 Benjamin E. Mays Drive S.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 12, 14th District,
Fulton County, Georgia, being more particularly described by the attached legal
description.

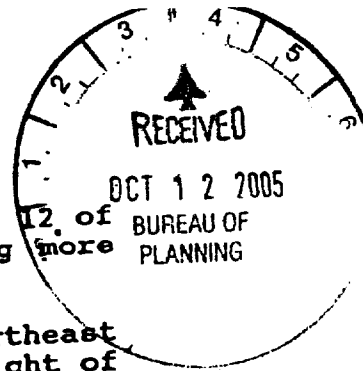
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003
of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural
Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in
compliance with the applicable provisions of this part. The applicable conditional site plan
and any other conditions hereby imposed are enumerated by attachment. The Special Use
Permit hereby approved does not authorize the violation of any zoning district regulations.
District regulation variances can be approved only by application to the Board of Zoning
Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this
ordinance are hereby repealed.

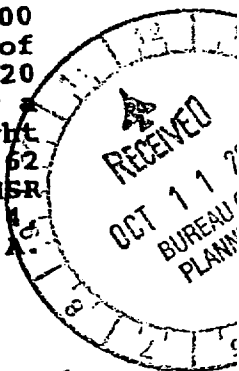
EXHIBIT "A"
LEGAL DESCRIPTION

V-0534

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 12, of the 14th FF District of Fulton County, Georgia, and being more particularly described as follows:



TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the northeast corner of the intersection of Benjamin Mays Road (50 foot right of way) and Fairburn Road (50 foot right of way) and proceed thence northerly along the easterly right of way of Fairburn Road an arc distance of 180.56 feet, said arc being subtended by a chord bearing North 09 degrees 40 minutes 00 seconds West a chord distance of 180.06 feet (having a radius of 697.56 feet) to an 1/2" rebar set; said point being the TRUE POINT OF BEGINNING; continue thence in a northeasterly direction along the easterly right of way of Fairburn Road an arc distance of 139.43 feet, said arc being subtended by a chord bearing North 04 degrees 04 minutes 43 seconds East a chord distance of 139.20 feet (and having a radius of 697.57 feet) to a point found at the southwesterly corner of property now or formerly owned by the Teamster Retiree Housing of Atlanta, Inc., (hereinafter, the "Teamster property") as recorded at Deed Book 12747, Page 011, Fulton County, Georgia records; proceed thence South 53 degrees 00 minutes 11 seconds East along the southerly line of said Teamster property a distance of 256.12 feet to an 1/2" rebar set; proceed thence North 38 degrees 08 minutes 30 seconds East, also along an easterly line of said Teamster property, a distance of 210.04 feet to an 1/2" rebar set; proceed thence South 53 degrees 00 minutes 11 seconds East along another southerly line of said Teamster property a distance of 451.20 feet to an 1/2" rebar set; proceed thence North 36 degrees 59 minutes 49 seconds East along the easternmost line of said Teamster property a distance of 10.00 feet to an 1/2" rebar found on the southerly line of property now or formerly owned by Fairburn Towne House, Inc., as recorded at Deed Book 5468, Page 468-469); proceed thence South 53 degrees 00 minutes 11 seconds East along said Fairburn Town House, Inc. property line a distance of 77.50 feet to an 1/2" rebar set on the westerly right of way of Seaboard Coast Line Railroad; proceed thence South 28 degrees 23 minutes 21 seconds West along said railroad right of way a distance of 452.90 feet to an 1/2" rebar set on the northerly right of way of Benjamin Mays Road; proceed thence northwesterly along the northeasterly right of way of Benjamin Mays Road an arc distance of 211.50 feet, said arc being subtended by a chord bearing North 57 degrees 36 minutes 49 seconds West a chord distance of 211.30 feet (having a radius of 1032.22 feet); continue thence North 52 degrees 26 minutes 00 seconds West along the northeasterly right of way of Benjamin Mays Road a distance of 181.87 feet to an 1/2" rebar set at the southernmost corner of property now or formerly owned by Standard Oil Company; proceed thence North 09 degrees 40 minutes 00 seconds West along said Standard Oil Company property line a distance of 299.25 feet to an 1/2" rebar set; proceed thence North 54 degrees 40 minutes 00 seconds West along said Standard Oil Company property a distance of 99.00 feet to an 1/2" rebar set; proceed thence South 80 degrees 20 minutes 00 seconds West along said Standard Oil Company property a distance of 105.00 feet to an 1/2" rebar set on the easterly right of way of Fairburn Road AND THE POINT OF BEGINNING; being 5.7762 acres or 251611 square feet, as shown per boundary survey for HSR Associates, Inc., dated January 5, 1989, and updated September 1990 and June 20, 1991, prepared by Pearson and Associates, Mark A. Buckner, Registered Land Surveyor No. 2422.



V-04-22

RCS# 7241
11/21/05
4:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 05-O-2278 2279 2280 2281 2282 2283 2284
 2285 2286
 REFER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 2
ABSENT 0

Y Smith	Y Archibong	Y Mcore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	E Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	E Sheperd	NV Borders

MULTIPLE